

### **New Jersey Department of Children and Families Policy Manual**

Manual:	CP&P	Child Protection and Permanency	Effective
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Subchapter:	10	Selection Services	0-4-2012
Issuance:	300	Adoption Complaint Investigation	

Note: The Division of Child Protection and Permanency rarely receives a Court order to conduct an adoption complaint investigation (ACI). If a Local Office receives a Court order to conduct an ACI, contact the Office of Adoption Operations for clarification regarding policy and current forms. Prior to completing the ACI investigation and reports, see current versions of N.J.S.A. 9:3-37 et seq., N.J.A.C. 10:121-2.1, and 10:121A for any changes.

### **Adoption Complaint Investigation Defined**

6-4-2012

An "Adoption Complaint Investigation" (ACI) means an investigation ordered by the court to determine the circumstances of a non-agency placement and to assess the suitability of the prospective adoptive parents. The investigation is conducted by a court-appointed State-approved adoption agency in response to the filing of an adoption petition on behalf of the prospective adoptive parents. Such investigation includes a home study and post-adoption services unless otherwise specified by the court. (N.J.A.C. 10:121A-1.6, Definitions).

In accordance with N.J.S.A. 9:3-37 et seq., when a child in an adoption complaint has been placed by means other than an approved agency, the Court is required to assign the adoption complaint for study and possible supervision to an agency which is approved by the Department of Children and Families for the purpose of placing children for adoption.

The legal definition of "approved agency" includes both private and public agencies approved by the Department of Children and Families for the purpose of placing children for adoption in New Jersey.

For adoption by a brother, sister, grandparent, aunt, uncle, birth parent or step parent of the child, the Court may order a limited investigation.

During the investigation, the child is declared a ward of the Court and the plaintiff is given custody of the child subject to further order of the Court. The plaintiff is directed by the Court to cooperate with the investigation.

### Legal Authority 6-4-2012

- N.J.S.A. 9:3-37 et seq.
- N.J.A.C. 10:121A, Manual of Requirements for Adoption Agencies
- N.J.A.C. 10:121-2.1, Adoption Complaint Investigation

#### Goals 10-28-1982

CP&P provides information for the Court's review so that the Court may determine the most appropriate disposition of the adoption complaint. The goals in this process are to:

- Protect the child from unnecessary separation from his birth parents;
- Protect the child from adoption by a person unfit for such responsibilities;
- Protect the birth parents from coercion or uninformed decisions to give a child up for adoption;
- Protect the child from later disruption by the birth parents after the child has been established in the adoptive home; and
- Protect the adoptive parents from later disruption of their relationship with the child by the birth parents.

ACI Process 6-4-2012

The ACI process includes:

- An investigation of the facts and circumstances surrounding the surrender of custody and placement of the child in order to determine propriety of placement;
- An evaluation of the plaintiff's ability to care for the child on a long term basis;
- An assessment of the child's adjustment in the home and his feelings about adoption;
- A Preliminary Report to the Court including all of the above information and a

recommendation concerning the adoption;

- A Preliminary Hearing at which time the Court can order supervision by CP&P, finalize the adoption, deny the adoption, dismiss the complaint, or make another order concerning the custody and guardianship of the child;
- Supervision by CP&P, if Court ordered;
- A Final Report to the Court;
- A Final Hearing and determination by the Court; and
- Post adoption services, if ordered by the Court.

### Agency Fees for an ACI

10-28-1982

CP&P charges one fee for the Preliminary Investigation and one fee for supervision when it is ordered by the Court. The fees are intended to meet the agency's cost of conducting the investigation and supervision. The payment may be adjusted in accordance with plaintiff's income and expenses. CP&P wishes to insure that a person with limited financial resources is not denied an opportunity to adopt a child. See ACI Fee Schedule at the end of this policy.

Billing 10-28-1982

The first CP&P bill, for the Preliminary Investigation, is sent within 10 days after the CP&P representative has visited the plaintiff. If the case continues into supervision, a second bill is submitted prior to the Final Hearing. Bills are submitted to the attorney representing the plaintiff in the adoption action. If the agency bill is not paid prior to finalization, the agency representative shall advise the Court, but failure to pay the bill will not impede the process of the adoption. The agency shall continue to pursue the collection of the fee after the adoption is finalized.

#### **Charges for More Than One Child**

10-28-1982

There is only one charge for the investigation and one for supervision if separate complaints are filed concurrently by the same plaintiff or if there is more than one child listed in the adoption complaint.

#### Forms Related to Fees

6-4-2012

The following is a list of forms completed during the ACI process. A copy of each is retained in the case record.

- CP&P Form <u>24-8</u>, Statement of Costs, before the Preliminary and Final Hearings advises the plaintiff's attorney, the Office of Accounting, and the Court Surrogate of the computed fee for CP&P services.
- CP&P Form 14-160, Court Appointed Adoption Letter, informing the plaintiff that CP&P is appointed to investigate the proposed adoption, CP&P may be appointed to supervise the adoption, that interviews will be held with family members and lists the documents that will be reviewed during the interviews and discusses the amount and ways to pay the agency fee.
- CP&P Form <u>24-16a</u>, ACI Letter to Surrogate Court, notifying the Surrogate whether Preliminary of Final Reports have been sent and a copy of the agency costs due from the plaintiff is attached.
- CP&P Form <u>24-16b</u>, ACI Letter to Plaintiff's Attorney, notifying the plaintiff's attorney that the Preliminary or Final Report has been sent to the Surrogate, CP&P has been appointed to supervise the adoption, that a copy of the CP&P costs have been forwarded to the court, and requests that a copy of the Judgment of Adoption be sent to CP&P.
- CP&P Form <u>24-16</u>, Letter to Plaintiff, informing the plaintiff that CP&P has been appointed by the Court to provide supervision and an explanation of CP&P fees for supervision.

### Receipt and Review of the Complaint and Order

6-4-2012

The Complaint and Order are reviewed by the Supervisor. The Complaint includes the child's name, date and place of birth, the plaintiff's name and address, the circumstances and date of the placement, the relationship of the child to the plaintiff, any divorces of the plaintiff, the birth parent's name and address, and hearing date and place. Any missing or incorrect information is brought to the attention of the plaintiff's attorney.

CP&P Form <u>24-19</u>, Letter to Surrogate, confirms that the ACI has been received. Complete appropriate case documentation (e.g., case ID #) in the NJS application.

### **General Purpose of Preliminary Investigation**

10-28-1982

The purpose of the CP&P investigation is to obtain information necessary to assist the Court in determining whether the adoption should proceed toward supervision, finalization of the adoption or another determination of the Court. CP&P acts as an agent of the Court. The following information is provided to the Court:

- The circumstances under which the child was received into the home of the plaintiff;
- An assessment of the adjustment and appropriateness of the child for adoption;
- The wishes of the birth parent regarding the adoption; and
- An assessment of the potential fitness of the plaintiff to adopt the child and to provide a home suitable for his rearing.

See CP&P Form <u>14-169</u> for the adoption complaint investigation format which is used in gathering information during the investigation.

### **Legal Considerations in ACIs**

10-28-1982

# **Propriety of Placement**

6-4-2012

In accordance with N.J.S.A. 9:3-39.1 only the parent or guardian, or a N.J. approved agency, or intermediary (as defined in 9:3-38 and 9:3-39.1-18a.(4)(a) and (b)) may legally place a child for adoption. Any other person, firm, partnership, corporation, association, or agency which offers to place a child or materially assists in the placement of a child for adoption is guilty of a second or third degree crime. However, this prohibition does not apply in the placement of a child for adoption with a brother, sister, aunt, uncle, grandparent, birth parent, or step parent of the child.

When there is no N.J. approved agency involvement, the basic determinant of propriety of placement is whether the birth parent or guardian had the opportunity to personally evaluate and select the plaintiff as parent to the child. Without approved agency involvement, the parent maintains the right to make his own parental determinations in the placement of the child.

The following are general guidelines for determining propriety of placement when the adoptive placement has been made outside the authority of a N.J. approved agency:

• The mere physical handing of a child by the guardian or birth parent to the plaintiff does not serve as proof that the parent evaluated and approved the

placement as an adoptive placement.

- Any person other than the birth parent or guardian who participates in any action which limits or excludes placement by the birth parent or guardian is guilty of a misdemeanor and is not excused because he or she did not physically handle the child.
- If the individual hands a child to the plaintiff at the direction or in the presence of a birth parent or guardian, there is not willful violation of statute. However, if there is evidence that the parent's placement decision was made under duress or coercion, or through misinformation, the situation is reported to the Court.
- If a professional (i.e., doctor or lawyer) gives advice concerning adoption as part of a professional relationship, he is not guilty of a violation.
- Any person who introduces the birth parent and plaintiff to each other, but does not contribute to planning for the child, is not guilty of a violation.

See N.J.S.A. 9:3-39.1-18a.(4)(a) and (b) for additional criteria regarding counseling for the parents and criteria regarding plaintiffs who receive the child.

As a part of the Preliminary Report, CP&P submits a detailed accounting to the Court regarding the details and names of persons involved in the placement process, noting any irregularities which may affect the propriety of the placement.

#### **Financial Arrangement in the Placement**

6-4-2012

In accordance with N.J.S.A. 9:3-55, monetary expenses related to the birth of the child and medical well-being of the child and mother during the prenatal and postnatal period and expenses related to the placement of the child for adoption are the only expenditures allowable by the plaintiff. These expenses include:

- Prenatal medical expenses;
- Hospitalization of mother;
- Medical expenses incurred by the birth of the baby;
- Any additional medical expenses necessary to the health of the child and mother;
- Expenses related to the placement of the child for adoption; and
- Services related to the adoption including legal services.

Any prospective adoptive parent who is not a brother, sister, aunt, uncle, grandparent, foster parent, natural parent, natural father, or step parent of the child to be adopted must provide the Court with a detailed report disclosing the financial arrangements incurred in the placement of the child before the complaint is heard. The report is signed and verified by each prospective parent.

Any person, firm, partnership, corporation, association or agency which appears to have violated the above may be guilty of a high misdemeanor and the Court or CP&P may refer the matter to the appropriate county prosecutor, in accordance with N.J.S.A. 9:3-55. The DAG is contacted prior to referral to the county prosecutor.

#### **Qualifications of Plaintiff**

6-4-2012

In accordance with N.J.S.A. 9:3-43, the following guidelines indicate eligibility of a plaintiff to institute an adoption complaint action:

- A married person may do so only with the written consent of his spouse/civil
  union partner or jointly with his spouse/civil union partner, or after having lived
  separate and apart from his spouse/civil union partner.
- Each plaintiff, at the initiation of the action, shall have attained the age of 18 years, and shall be at least 10 years older than the child; the Court, with good cause, may waive either of these two requirements.
- A plaintiff does not have to be a citizen of the United States in order to adopt.
   The child also does not have to be a citizen.

<u>Foster parents</u> who express an interest in adoption are instructed to follow CP&P foster parent adoption procedures, rather than the ACI procedure. Foster parents considering utilizing the ACI procedure when it is not approved by CP&P are informed that the agency will take legal action through the DAG to have the complaint dismissed.

### **Promptness of Filing**

6-4-2012

Whenever a person receives a child into his home for the purpose of adoption other than from an approved agency, a complaint for adoption shall be filed within 45 days after receipt of the child, or whenever it is decided that adoption shall be sought; an action for adoption should be instituted with reasonable promptness (N.J.S.A. 9:3-44). However, failure to act promptly shall not be the sole basis for refusal of the adoption.

#### Court Jurisdiction 10-28-1982

An action for adoption shall be initiated in the Superior Court or in the County Court in the county in which the plaintiff lives.

#### **Initial Written Contact with the Plaintiff**

10-28-1982

CP&P advises the plaintiff, that the agency has been appointed by the Court to conduct the investigation and outlines the ACI procedures in CP&P Form <u>14-160</u>, Court Appointed Adoption Letter.

#### **Contact with the Birth Parent**

6-4-2012

CP&P advises the birth parent or legal guardian that the agency has been appointed by the Court to investigate the proposed adoption in CP&P Form 14-161, Letter to Birth Parent/Legal Guardian. If the birth parent does not live in the geographic area served by the CP&P Local Office, see CP&P-VIII-D-1-300, CP&P Requests to Out-of-State Agencies, regarding out-of-state agency requests to interview the birth parent, or if the parent is in the geographic jurisdiction of another Local Office, the appropriate Local Office is sent CP&P Form 14-163 and asked to interview the birth parent. Request that CP&P Form 14-177, Family Medical History, be completed.

All written contacts by CP&P with the birth parent or legal guardian are made by certified mail, return receipt requested. The signed receipts are filed in the case record and used as documentation for the Court that CP&P attempted to contact the parents. Although the birth parent or legal guardian may sign the receipt, he may refuse further contact with the agency. This is documented in the Preliminary Report.

# Procedures Related to CP&P Appointment by the Court 6-4-2012

Responsibility	Action Required
Supervisor	Review Complaint and Order.
	Assign Complaint and Order
Worker	Complete appropriate case documentation (e.g., case ID #) in the NJS application.
	4. Prepare and send CP&P Form 24-19, Letter to the Surrogate.
	<ol> <li>Prepare and send CP&amp;P Form <u>14-160</u>, Court Appointed Adoption Letter.</li> </ol>

- 6. Prepare and send CP&P Form <u>14-161</u>, Letter to Birth Parent/Legal Guardian.
- 7. Prepare and send CP&P Form14-177, Family Medical History, if appropriate.
- 8. Prepare and send CP&P Form <u>14-163</u>, Memo to Local Office, if appropriate.

### **Interviews Required for the Preliminary Report**

10-28-1982

Guidelines for information required in the Preliminary Report are outlined in the ACI Format, CP&P Form <u>14-169</u>, and <u>sample preliminary report</u>. The Format indicates the information that the Court requires in the Preliminary Report. Every effort is made to get as much of this information as possible.

For adoption by a brother, sister, grandparent, aunt, uncle, birth father, or step parent of the child, the Court may order a limited investigation. The investigation may be limited to an inquiry regarding the status of the parents, an evaluation of the child's adjustment, and of the plaintiff's ability to care for the child. Efforts to contact the birth parents and the results are detailed in the Preliminary Report. Information about the birth parents may be obtained from the plaintiff when the birth parents are not available. The report to the Court includes an acknowledgement that this information was not received from the birth parents.

Plaintiff and Child 6-4-2012

The plaintiff, the child to be adopted, and all other persons in the immediate household are seen. If the child is old enough to express his or her feelings and understanding of the adoption, he or she is asked to do so. If the plaintiff is unwilling to allow the child to be seen, this fact is noted in the report to the Court. In accordance with N.J.S.A. 9:3-49, if the child to be adopted is 10 years old or older, he is required to attend the adoption hearing, unless waived by the Court for good cause shown. The child's wishes concerning the adoption shall be solicited by the Court and given consideration if the child is of sufficient capacity to form an intelligent preference regarding the adoption.

See Initial Interview with Plaintiff for guidelines for the initial interview with the plaintiff.

Absentee Plaintiff 10-28-1982

In some cases, the plaintiff may not be available for an interview or for the Court Hearing. At the discretion of the Court, he may adopt the child without appearing or testifying. However, he must be interviewed directly by an approved adoption agency or the American Red Cross (if he is in the Armed Forces). CP&P identifies and incorporates the other agency's findings in its Preliminary Report to the Court.

Birth Parents 10-28-1982

Birth parents are interviewed directly by CP&P or an out-of-state agency in a personal interview or by a telephone interview if a personal interview is impossible. The CP&P Form 14-177, Family Medical History, is completed, in as much detail as possible for both birth parents including the parent with whom the child is living in a step parent adoption. The original is given to the plaintiff and a copy is retained for the file. If repeated attempts to contact the birth parents fail, or if the birth parents refuse contact, this fact is documented in the report.

#### Other Persons Interviewed

10-28-1982

All other persons who participated directly in the arrangements for or placement of the child are interviewed. Those individuals out-of-state are contacted by telephone. If they cannot be reached, efforts to reach them are documented in the report.

#### **Initial Interview with Plaintiff**

10-28-1982

In the first interview with the Plaintiff, the CP&P representative:

 Verifies necessary births (except of birth parent), marriages, divorces, previous adoptions and deaths. Evidence is documented and noted as verified in the Court report.

If verification cannot be obtained, this fact is noted in the report. See CP&P Form 14-169 for guidelines for necessary verifications.

- Discusses the plaintiff's financial situation to determine if the monthly payment system is applicable and, if it is, determines the monthly payment.
- Explains the requirements under New Jersey law for the investigation and assures the plaintiff that the information given will be treated confidentially.
- Advises the plaintiff to talk to his attorney about the following:
  - Amendment of the child's birth and baptismal records after adoption,

- Appearance at hearings (Preliminary and Final),
- Documents required at hearings, and
- Citizenship proceedings for the child if he is not a U.S. citizen.

CP&P Form <u>14-169</u>, Adoption Complaint Investigation (Format), and <u>sample preliminary</u> <u>report</u> outline the necessary information required in an ACI investigation.

### Procedures Related to Gathering Information for Preliminary Report 6-4-2012

Responsibility	Action Required
Worker	Visit and interview plaintiff and child.
	Advise plaintiff of confidentiality of ACI information.
	<ol> <li>Collect necessary verifications recording them on CP&amp;P Form <u>14-169</u>. See Sample of Preliminary Report, below.</li> </ol>
	<ol> <li>Determine payment method; see ACI Fee Schedule at the end of this issuance.</li> </ol>
	5. Complete CP&P Form <u>24-8</u> , Statement of Costs.
	<ol> <li>Prepare and send CP&amp;P Form <u>24-8</u>, Statement of Costs, to the plaintiff's attorney.</li> </ol>
	<ol> <li>Prepare and send CP&amp;P Form <u>24-8</u> to the DCF Office of Accounting.</li> </ol>
Clerk	Record check from plaintiff when received.

# Writing the Preliminary Report 10-28-1982

CP&P Form <u>14-169</u> is used as a guideline for gathering and organizing ACI information before the Preliminary Report is written. See <u>sample preliminary report</u> for a sample of the Preliminary Report which outlines the format and details the information required. The report is forwarded to the Court Surrogate 5 business days before the hearing. CP&P Form <u>24-16a</u>, ACI Letter to Surrogate Court, is used as a cover letter for the Preliminary Report. CP&P Form <u>24-16b</u> is sent to the plaintiff's attorney to notify him that the report has been sent to the Court.

### **Hearsay Information**

10-28-1982

Hearsay information (i.e., third party information not verified by the investigator) is included in the Preliminary Report, but is noted as such.

Irregularities 6-4-2012

When it is suspected that the placement was not made in accordance with N.J. adoption statutes, the information is clearly noted in the Court report. When irregularities in placement are suspected the DAG is consulted.

### **Worker Attendance at the Preliminary Hearing**

6-4-2012

The Court determines the need for CP&P representation.

#### **Preliminary Hearing Determinations**

10-28-1982

In accordance with N.J.S.A. 9:3-48, at the Preliminary Hearing the Court may:

- Finalize the adoption and waive the Final Hearing if the plaintiff is a brother, sister, aunt, uncle, grandparent, natural father or step parent, or foster parent, or if the child has been in the home of the plaintiff for 2 years or more; or
- Order CP&P supervision for 6 to 9 months and to submit a report; or
- Direct the plaintiff to cooperate with the approved agency; or
- Determine that there is a lack of qualification on the part of the plaintiff, or a lack of jurisdiction and dismiss the complaint; or
- Determine that adoption is not in the best interests of the child and deny the adoption; or
- Make another order concerning the custody and guardianship of the child.

# Procedures Related to the Preliminary Report and Hearing 10-28-1982

Responsibility	Action Required
Worker	Report a suspected violation to the County Prosecutor, if appropriate.
	Write Preliminary Report. See <u>sample preliminary report</u> for a sample.

Supervisor/ Manager	Review Preliminary Report at least 15 business days before the day of the hearing.
Worker	Send Preliminary Report to Surrogate 5 business days before hearing, unless local court regulations state otherwise.
	<ol> <li>Prepare and send CP&amp;P Form <u>24-8</u>, Statement of Costs, with Preliminary Report.</li> </ol>
	<ol> <li>Prepare and send CP&amp;P Form <u>24-16b</u>, ACI Letter to Plaintiff's Attorney, advising that the Preliminary Report has been sent to the Court.</li> </ol>
	7. Attend Preliminary Hearing if ordered to attend by the Court.

### **Supervision** 10-28-1982

If CP&P is appointed at the Preliminary Hearing to supervise the adoption placement, CP&P supervises until the date of the Final Hearing. CP&P, acting for the Court, carries out the wardship which the Court assumed when the adoption complaint was filed. CP&P provides for the Court information about the mutual adjustment of the plaintiff and child, observes relationships, and offers counseling services to aid in the child's adjustment.

When CP&P is appointed to supervise the adoption placement, notification is sent to the plaintiff and the plaintiff's attorney; see CP&P Form <a href="24-16">24-16</a>j. A statement of costs for the supervision is included. CP&P acknowledges to the Court the receipt of the Order; see CP&P Form <a href="24-19">24-19</a>, Letter to Surrogate.

### **Length of Supervision**

10-28-1982

Supervision is usually for 6 to 9 months, depending on the Court's determination

#### **Scheduling of Supervision Visits**

10-28-1982

The first visit to the home is made within a month of the receipt of the Order appointing CP&P to supervise the adoption placement. Visits are made monthly for the first three months, and every other month after that unless more frequent visits are indicated.

#### Supervision Fees 10-28-1982

If CP&P did not conduct the Preliminary Investigation, the Worker computes the budget with the plaintiff in the first interview if hardship is indicated. See the ACI Fee schedule

at the end of this policy.

#### **Questionable Placement**

10-28-1982

If at any time it appears that the placement is questionable or detrimental to the child, the Worker immediately discusses the problem with his Supervisor. When CP&P recommends termination of placement prior to the Final Hearing, the Worker provides an objective evaluation of the circumstances in a report to the Court similar to the Final Report. In this report, the Court is asked to consider termination of the placement and issuance of another custody order.

### **Procedures Related to Supervision**

6-4-2012

Responsibility	Action Required
Worker	Review Order
	2. Prepare and send CP&P Form <u>24-19</u> , Letter to Surrogate.
	3. Prepare and send CP&P Form 24-16 and CP&P Form 24-8.
	4. Schedule visits as appropriate.
	5. Supervise placement.
	6. Determine payment method.
	<ol><li>Discuss questionable adoptive placement with Supervisor when necessary.</li></ol>
	Report to Court if placement seems questionable.
	Acknowledge receipt of fee payment.

### **Writing the Final Hearing Report**

10-28-1982

See the <u>sample final report</u> for a sample version of the Final Report which outlines the format and indicates the information required.

# **Hearsay Information**

10-28-1982

As with the Preliminary Report, hearsay information can be included in the report, but is noted as such.

### **Favorable or Unfavorable Report**

10-28-1982

If the report is favorable, the Final Report and CP&P Form 24-11, Civil Action Consent to Adoption, are sent to the Supervisor and discussed 25 business days before the hearing date. If the CP&P consent for the adoption is withheld, or if the report is unfavorable even though consent is given, the Final Report is discussed with the Local Office Manager at least 25 business days before the hearing date. The Final Report is sent to the Court at least 15 days prior to the hearing.

### Procedures Related to Writing the Final Hearing Report 10-28-1982

Responsibility	Action Required	
Worker	Write Final Report. See the <u>sample final report</u> .	
Supervisor	Review with Worker Final Report and CP&P Form <u>24-11</u> , Civil Action Consent to Adoption, 25 business days before hearing date if CP&P recommends the proposed adoption.	
	<ol> <li>Discuss with the Local Office Manager the Final Report 25 business days before hearing date if report is unfavorable.</li> </ol>	
Worker	<ol> <li>Prepare and send Final Report; CP&amp;P Form <u>24-11</u>, Civil Action Consent to Adoption; CP&amp;P Form <u>24-16a</u>, ACI Letter to Surrogate Court; and CP&amp;P Form <u>24-8</u>, Statement of Costs.</li> </ol>	
	<ol> <li>Send copy of Final Report and original of CP&amp;P Form <u>24-16b</u>, ACI Letter to Plaintiff's Attorney.</li> </ol>	

### **Final Hearing** 10-28-1982

#### Appearance at Final Hearing 10-28-1982

The appearance of the Worker is not required unless it is ordered by the Court.

#### Determination of the Court 10-28-1982

In accordance with N.J.S.A. 9:3-48e., if the Final Report recommends that the adoption be granted, the Final Hearing may be dispensed with and, if the Court is satisfied that the best interests of the child are promoted by the adoption, a Judgment of Adoption may be entered immediately.

At the time of the Final Hearing, the Court makes a decision based on the CP&P report and testimony. The Court may order the following:

· Finalization of the adoption; or

- Dismissal of the complaint; or
- · Postponement; or
- Return of the child's custody to the birth parent or legal guardian; or
- Award custody of the child to other appropriate person or agency.

### Adoption Granted 10-28-1982

If the adoption is granted, CP&P terminates supervision.

### Adoption Not Granted 10-28-1982

If the adoption is not granted, CP&P obeys the order of the Court.

### **Procedures Related to Final Hearing**

6-4-2012

Responsibility	Action Required
Worker	Attend Final Hearing if ordered to do so by the Court.
	<ol><li>Correct identifying information, if necessary in the NJS application.</li></ol>
	3. Follow up on any court orders related to the Final Hearing.
	4. Terminate supervision in NJS.

### Sample of Preliminary Report 10-28-82

Click here to view the sample preliminary report.

#### WHEN TO USE IT

Use the sample format to prepare the Preliminary Report to the Court.

#### **HOW TO USE IT**

The Worker prepares three copies of the report providing the necessary information.

Send the original copy of the Preliminary Report to the Court to the appropriate County Surrogate. Also send a copy of the Report to the adoptive parent's attorney.

#### **DISTRIBUTION**

Original - Surrogate

Copy - Plaintiff's attorney

Copy - Child's case record

Sample Final Report 10-28-82

Click here to view the sample final report

### WHEN TO USE IT

Use the sample format to write the Final Report for the Court.

#### **HOW TO USE IT**

The Worker prepares three copies of the report providing the necessary information.

Send the original copy of the Final Report to the Court to the appropriate County Surrogate. Also send a copy of the Report to the adoptive parent's attorney.

#### DISTRIBUTION

Original - Surrogate

Copy - Plaintiff's attorney

Copy - Child's case record

ACI Fee Schedule 10-25-95

WHEN TO USE IT

The fee schedule indicates the monthly charge for supervision.

Use the fee schedule to determine the:

- Monthly charge for Final Report,
- Combined monthly charge for supervision and Final Report,
- Total charge for monthly supervision and Final Report.

See N.J.A.C. 10:121-2 for the rules which establish the ACI fee schedule.

#### **PAYMENT SCHEDULES**

### **Preliminary Services**

The cost of the Preliminary Services (Investigation and Report) is \$296.00. Payment in full is required prior to the Preliminary Hearing.

If the adoptive parents indicate that payment in full would be a financial hardship, determine the monthly capacity to pay. The number of months over which the payment will be made is determined by dividing the total fee (\$296.00) by the monthly capacity to pay.

See CP&P-IX-F-1-225.

#### **Supervision Services**

The cost of Supervision Services (Supervision and Report), is from \$441.00 for 6 months' supervision to \$624.00 for 9 months' supervision. Payment in full is required prior to the Final Hearing. If the adoptive parents indicate that payment in full in a lump sum or according to the monthly fee schedule would be a financial hardship, determine the monthly capacity to pay. The number of months over which the payment will be made is determined by dividing the total fee for supervision by the capacity to pay.

There are three methods of payment:

- · Payment in full upon billing,
- Monthly payments in accordance with ACI Fee Schedule,
- Monthly payments in accordance with the evaluated capacity to support, if the

adoptive parents indicate that the other payment options would be a financial hardship. The number of months over which payments are made is determined by dividing the total fee (\$441 - \$624) by the monthly capacity to support.

#### SCHEDULE OF FEES FOR ADOPTION COMPLAINT INVESTIGATIONS

Service	Charge
Preliminary Investigation and Report	\$296.00
Supervision	61.00 per mo.
Final Report	75.00

### **Monthly Payments for Final Reports**

\$12.50 per mo. for 6 mos.

10.71 per mo. for 7 mos.

9.37 per mo. for 8 mos.

8.33 per mo. for 9 mos.

# **Monthly Payments for Supervision and Final Report**

\$73.50 per mo for 6 mos.

71.71 per mo for 7 mos.

70.37 per mo for 8 mos.

69.33 per mo for 9 mos.

# **Total Charges for Supervision and Final Report**

Length of Supervision	Amount
6 months	\$441.00

7 months	501.97
8 months	562.96
9 months	623.97

# **Total Charges for Preliminary Services (\$296.00), Supervision and Final Report**

Length of Supervision	Amount
6 months	\$737.00
7 months	797.97
8 months	858.96
9 months	919.97